

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

(1)JERRY LITTLES,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV
)	
(1)THE UNITED STATES OF AMERICA,)	
<i>ex rel</i> , THE UNITED STATES)	
POSTAL SERVICE,)	
)	
Defendant.)	

COMPLAINT

COMES NOW the Plaintiff, Jerry Littles, by and through his attorney of record, Anthony F. Gorospe, and for his claims against the Defendant, the United States of America, *ex rel*, the United States Postal Service (“USPS”), states the following:

JURISDICTION AND VENUE

1) This is a civil action for motor vehicle negligence with an amount in controversy exceeding Seventy-Five Thousand Dollars (\$75,000.00) exclusive of interest and costs.

2) This claim for motor vehicle negligence is brought against the United States of America, *ex rel*, USPS pursuant to 28 U.S.C. §2671 *et seq*.

3) The Plaintiff, Jerry Littles, is a citizen and resident of the State of Oklahoma.

4) The USPS is a governmental facility operating in the State of Oklahoma at all relevant times.

5) Dwayne Knight (“Mr. Knight”) was a mail carrier employed with USPS at all relevant times.

6) Venue is proper pursuant to 28 U.S.C. §1346(b).

7) This Court is vested with subject matter jurisdiction pursuant to 28 U.S.C. §1346(b).

8) The USPS is a Federal agency within the meaning of the Governmental Tort Claims Act. Mr. Knight was acting within the scope of his employment with the USPS while driving a USPS mail truck on January 26, 2022 in Osage County, Oklahoma.

9) On April 18, 2022, the Defendant was properly and timely served with a notice of this claim pursuant to 28 U.S.C. §2675.

10) The Plaintiff’s claim has been denied by the passage of one hundred eighty (180) days from the date of the Tort Claim Notice was served because no denial letter has ever been issued.

11) The Plaintiff has complied with all notice and demand requirements as set forth in 28 U.S.C. §2675.

OPERATIVE FACTS

12) On or about January 26, 2022, Jerry Littles was traveling east on W. Newton Street in Osage County, Oklahoma. Mr. Knight was pulled to the side of W. Newton Street delivering mail when he unsafely changed lanes back onto W. Newton Street.

14) Due to Mr. Knight’s unsafe lane change, a collision occurred between Jerry Littles’ vehicle and the USPS truck driven by Mr. Knight.

15) Jerry Littles was severely injured as a direct result of the impact with the USPS truck.

CLAIMS FOR NEGLIGENCE

21) The negligence of Mr. Knight caused severe permanent injuries to Jerry Littles.

23) The USPS is vicariously liable for the acts of its employees.

24) As a direct result of the negligence of the USPS, its agents, and employees, Jerry Littles suffered serious and permanent injuries resulting in medical treatment, medical bills, pain and suffering of body and mind, lost wages, loss of certain abilities and other damages, exceeding Seventy-Five Thousand Dollars (\$75,000.00) and totaling Two Million Dollars (\$2,000,000.00).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment in his favor against the Defendant, the United States of America, *ex rel*, the USPS for an award of actual damages in the amount of Two Million Dollars (\$2,000,000.00), for all costs of this action, interest, any applicable attorney fees, and for such further relief as the Court deems just and proper.

Respectfully submitted,



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